

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TOBY MASSE,

**Plaintiff,**

V.

SIDNEY CLARK, *et al.*,

### Defendants.

Case No. C06-5375 RBL/KLS

## ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
  - (2) Defendants' motion to dismiss (Dkt. # 21) is **GRANTED**;
  - (3) Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**; and
  - (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Hon. Karen L. Strombom.

DATED this 18<sup>th</sup> day of May, 2007.

Ronald B. Leighton  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

ORDER - 1